

ENVIRONMENTAL HEARINGS OFFICE

Minutes of Meeting March 10, 2009 9:00 a.m.

The March 2009 meeting was called to order by Chair Kathy Mix in the Boards' office in Lacey, Washington. Present were Chair Kathy Mix, Board Members Andrea McNamara Doyle and William Lynch, Administrative Appeals Judges Kay Brown, Phyllis Macleod and Cassandra Noble, Administrative Manager Robyn Bryant, and Administrative Secretary Janet Buechler. Minutes of the February 2009 meeting were read and approved as amended.

Handouts were distributed for review which included the pollution, shoreline, forest practice, hydraulic, and environmental and land use appeals filed, a brief summary of all cases that have closed and the Case Statistics Report.

Appellate Update

Chair Kathy Mix reported that there were two new Superior Court Appeals filed since the last meeting in February. There was also a discussion concerning the outcome of two previous Superior Court Appeals: *Building Industry Assn. v. PCHB*, affirming the Board's decision and denying the Petition for Review; and *Ecology v. Northwest Aquatic Ecosystems*, which granted Ecology's Petition with respect to the Board's ruling on individual lot restrictions and denied the petition with respect to the Board's ruling on unpaid penalties.

Financial Update

Robyn Bryant reported that the Environmental Hearing Office budget is still on track with the most recent budget cuts, contingent upon how many cases will require travel. Kathy stated there were no new budget updates and all budget items are still up for discussion.

There was discussion on the necessity of the use of court reporters for small cases as a means to cut expenses. Although the contract with the court reporters does not require use on all cases, the matter was tabled until budget issues are settled.

EHO Strategic Planning and Training

Kathy proposed a one-half day, in-house retreat for judges and board members to update EHO's strategic plan. A subcommittee of Phyllis, Bill and Robyn was formed to draft an agenda and set a date.

Miscellaneous Clerical Issues

Miscellaneous clerical issues concerning filings were discussed which included finalization of the style sheet, reading and retention files, and questions by the general public. Jan will put together an information sheet on questions of clerical matters which can be sent out to the parties with the pre-hearing order.

Additional Business

Andrea McNamara Doyle received Senate confirmation for her new term.

Kathy presented the Board's draft Decision Making Policy and asked for comments before the next meeting.

Department of Information Services will be giving a demonstration on video conferencing at the office.

Bill reported on the status of House Bill 1511 (Water Rights Adjudications). The continuing jurisdiction element as been removed but action on the bill is still pending.

The office as a whole will give recognition to Judy Wilson for her service to the Shorelines Hearings Board on her last day with the Board.

Meeting adjourned.

Janet Buechler
Administrative Secretary